

## REMARKS

Claims 1, 3-5, 9-16, 18, 21-24, 26-31, 34, and 36-40 are currently pending in the present application, with Claim 24 amended to correct informalities. Reconsideration and reexamination of the claims are respectfully requested.

Applicant express appreciation for the Examiner's attention and time during the telephonic interview conducted on August 27, 2006. As was discussed with the Examiner during the interview, Applicant hereby provides a summary of Applicant's response to the outstanding rejections.

The Examiner rejected Claims 1-3, 10-16, 18, 21-24, 26-31, 34, 37, and 38 under 35 U.S.C. 102(b) as being unpatentable over Goldhaber (U.S. patent no. 5,794,210). This rejection is respectfully traversed.

As discussed during the telephonic interview and as previously communicated, the present invention is directed to a method and system for Internet distribution of media products, such as entertainment or informational content (e.g., articles/report, video, or a sound file such as a MP3 music file), that are protected by intellectual property rights (e.g., copyright protection). Specifically, the present invention provides to consumers an alternative to paying for media products, offer for sale on the Internet, by offering to consumers an option to view a sponsored message in exchange for immediately receiving the product.

As Applicant expressed during the interview, Goldhaber does not contain any disclosure or suggestion of distributing media products. Rather, Goldhaber is directed to "attention brokering," wherein consumers are financially compensated (via Cyber Goldcoins) for viewing advertisements. There is simply no mention in Goldhaber of providing intellectual property products as target items for which consumers may elect to view an advertisement message to acquire.

As the Applicant attempted to clarify during the interview, distribution of monetary compensation (as disclosed in Goldhaber) is not the equivalent of marketing and selling

products. Applicants therefore respectfully submit that Claims 1-3, 10-16, 18, 21-24, 26-31, 34, 37, and 38 are not anticipated by, or obvious in view of, Goldhaber.

The Examiner rejected dependent Claims 4, 5, 36, and 40 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view of Wiser et al. (USP 6,385,596). This rejection is respectfully traversed.

As discussed above, Goldhaber does not contain any disclosure or suggestion of distributing media products in response to a consumer viewing a sponsored message. Wiser fails to make up for the deficiencies of Goldhaber. Rather, Wiser is simply directed to a secured online distribution of music. Again, for the same reasons stated above, Applicant respectfully submits that Claims 4, 5, 36, and 40 are not obvious in view of Goldhaber and Wiser.


The Examiner rejected dependent Claims 9 and 39 under 35 U.S.C. 103(a) as being unpatentable over Goldhaber in view Official Notice 2 (ON2). This rejection, along the Official Notices, is respectfully traversed for the same reasons provided above.

In view of the foregoing, Applicant respectfully submits that all of the pending claims are in condition for allowance. An early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, he is respectfully requested to contact the undersigned attorney. In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 513612000100.

Respectfully submitted,

Dated: August 31, 2006

By:

  
David T. Yang  
Registration No. 44,415

Morrison & Foerster LLP  
555 West Fifth Street  
Suite 3500  
Los Angeles, California 90013-1024  
Telephone: (213) 892-5587  
Facsimile: (213) 892-5454